

D 619

.3

.A7

1918

Copy 1



*American civil liberties union*

# War-time Prosecutions and Mob Violence

*Involving the rights of free speech,  
free press and peaceful assemblage.*

*(From April 1, 1917 to May 1, 1918)*

This list of cases is compiled from the correspondence and press clippings of the National Civil Liberties Bureau. It is by no means a complete record. The Bureau would appreciate information about other cases, in order to publish later a more inclusive list.

*Published by the*

**NATIONAL CIVIL LIBERTIES BUREAU**

**70 Fifth Avenue, New York City**

**Washington Office: 647 Munsey Building**

*July, 1918*

 341

D 619  
.3  
.A7  
1918  
Copy 1

D619

3

A7

1918

D. of D.  
AUG 20 1918

*Read Memo*  
*15*  
*17*  
*19*

THIS briefly annotated list of prosecutions under war-statutes and cases of mob violence due to the war is published as a matter of record for those interested. The list does not include cases of enemy aliens (except one of mob violence), spies or violations of the draft act by men of military age. Further information about the more important cases will be furnished by the Bureau on request.

The cases are set forth under the following classifications.

Page		No. cases listed
5	I. Mob Violence .....	101
5	1. For alleged personal disloyalty.	78
5	a. General cases .....	63
9	b. Forced by mobs to kiss the flag (a special group of cases, so classified because of their number) .....	15
10	2. Industrial causes: involving pri- marily the I. W. W. ....	17
11	3. Political causes: involving pri- marily the Non-Partisan League	6
12	II. Espionage Act and Treason Cases	71
12	1. Convictions (up to May 1, 1918)	31
12	a. For statements in private conversation or correspond- ence .....	12
13	b. For statements in public addresses or public print...	11
13	c. For distributing literature..	8
14	2. Cases pending May 1, 1918....	26
16	3. Acquittals .....	14
17	III. Obstructing the Draft Act.....	10
18	IV. Cases under War-time State and City Laws .....	25
20	V. Interference by Public Officials with the Right of Peaceful As- semblage .....	10
21	VI. Search and Seizure.....	22

The cases are arranged in the order of their occurrence. An alphabetical index to cases is given on pages 23 and 24.

It will be noted that by far the largest proportion of all the cases throughout involve members of the I. W. W., Socialist Party and Non-Partisan League. Of those cases which do not, all but a comparative few involve citizens of German descent.

That scores of cases have not come to our attention through press clippings is evident from the published statements of the Attorney General setting forth the number of prosecutions instituted and convictions obtained.

Under date of April 24, 1918, the *N. Y. Evening Post* carried the following in a statement from the Dept. of Justice:

“On charges of interfering with operation of the draft, 3,465 persons have been convicted or have pleaded guilty, and 181 have been acquitted. Under the Espionage Act, which has been stretched to cover many varying cases of disloyalty, there have been 226 convictions and 17 acquittals. Under general war statutes, 228 have been convicted and 89 acquitted. Twenty-three persons have been found guilty of making threats against the President and ten acquitted on this charge.”

The records of the Department of Justice on June 8, 1918, showed a total of 1,180 persons prosecuted under the Espionage Act, of whom 210 plead guilty, 142 were dismissed, 125 convicted and 31 were acquitted. The remaining 672 cases were pending in the courts on that date.

Under the act making threats against the President a criminal offense, there have been a total of 60 persons prosecuted, of whom 23 plead guilty, 2 were dismissed, 12 convicted, and 2 acquitted. Twenty-one cases are pending.

787 cases have been brought under one or another criminal statutes—many of which have to do with utterances in speech or print.

As compared with these figures the cases under federal laws in the Bureau's list cover about 17% of the total. The cases of mob violence are doubtless more complete.



## I. MOB VIOLENCE.

Including all reported cases of violence to the person by groups of citizens acting without authority of law. It is significant that in only two cases (Robert P. Prager, and the Bisbee I. W. W. deportations) were the mob leaders prosecuted, and that in only 11 cases out of 124 do our records show that the victims were prosecuted by the authorities for what the mob charged was their disloyalty.

### 1. For Alleged Personal Disloyalty.

#### *a. General Cases.*

4/8/17. Baltimore, Md.—Peace meeting addressed by David Starr Jordan attacked by mob.

——— New York City.—During the summer of 1917 many meetings of the Socialist Party and the Friends of Irish Freedom were broken up by soldier mobs.

7/2/17. Boston, Mass.—Peace parade of Socialist Party broken up and headquarters wrecked by mob of soldiers and sailors.

8/23/17. York, S. C.—Rev. W. T. Sims, negro preacher, lynched for alleged opposition to the draft.

9/9/17. Milwaukee, Wis.—Several Italians shot in street riot after a loyalty meeting.

10/2/17. Pasadena, Cal.—Conference of Christian Pacifists broken up by mob of Home Guards.

10/30/17. Newport, Ky.—Rev. Herbert S. Bigelow, a pro-war radical, kidnapped and horsewhipped by mob "in the name of the women and children of Belgium."

11/15/17. Newport, Ark.—Rev. J. H. Ellis, negro preacher, held for 96 days on flimsy charge of "treason." When released from jail beaten by mob of white citizens and officials.

11/22/17. Osakis, Minn.—E. H. Stratemeyer tarred and feathered for alleged disloyalty.

12/4/17. Hugo, Colo.—Henry Dutsch, tarred and feathered by Vigilantes for alleged seditious utterances.

12/10/17. **St. Louis, Mo.**—**Emmett Oburn** beaten for neglect to stand up while **Star Spangled Banner** was being played at a meeting.

12/25/17. **Brenham, Tex.**—Six German farmers whipped to make them subscribe to the Red Cross.

1/5/18. **Hartford, Conn.**—**Maximilian Von Hoegen** beaten, nose broken, forced to kiss flag.

1/13/18. **Philadelphia, Pa.**—**Paul Beilfuss**, rescued by police from mob which threatened to lynch him for disloyal remarks.

1/22/18. **Mitchell, S. D.**—**Wm. C. Rempfer**, deported after Socialist State Convention broken up by police.

1/28/18. **Elkins, W. Va.**—**L. H. Keenan**, Socialist lawyer, tarred and feathered for alleged disloyalty.

2/12/18. **Staunton, Ill.**—**Severino Oberden**, a labor organizer, and **J. L. Metzen**, his attorney, beaten by mob in police station at Staunton, Ill. Later tarred. Many other cases of violence in this mining region for alleged disloyalty, notably **Marysville**, **Hillsboro**, **Worden**, **Mt. Olive**, **Gillespie** and **Williamson**.

3/13/18. **Ottumwa, Ia.**—**Leon Battig**, a teacher, painted yellow by mob on suspicion of disloyalty.

3/16/18. **Scotland, S. D.**—**Wm. Rempfer**, Socialist State Secretary, and **August Friederich** driven out of town by threat of tar and feathers.

3/21/18. **Altus, Okla.**—**O. F. Westbrook** and **Henry Hoffman** beaten, tarred and feathered for alleged disloyalty.

3/20/18. **Yerington, Nev.**—**Elmer White** beaten with iron cat-o-nine tails for disloyal remarks.

3/23/18. **Christopher, Ill.**—**Rev. John Kovalsky** and two others tarred and feathered for alleged disloyalty.

3/25/18. **Benton, Ill.**—**Mrs. Frances Bergen**, a Bohemian, ridden on a rail by mob of Loyalty Leaguers for alleged pro-Germanism.

3/25/18. **Duluth, Minn.**—**Gust Lundin**, Socialist, tarred and feathered by Knights of Liberty.



3/28/18. **Clarksville, Ark.**—Frank Oberlee, tarred, feathered and driven out of town.

3/28/18. **Hartford, Ark.**—Six alleged pro-Germans who were later declared loyal by agents of Dept. of Justice, beaten, forced to kiss the flag and thrown into jail.

3/31/18. **Ashland, Wis.**—Prof. E. A. Schimler, tarred and feathered by mob.

4/2/18. **Lasalle, Ill.**—Dr. J. C. Bienneman ducked in canal and ordered out of town after being forced to kiss the flag. The stores of Henry Mueller and Regas Bros. were painted yellow.

4/4/18. **Sulphur, Okla.**—H. C. Capers, 72 years old, head shaved by crowd of men awaiting draft call, for alleged pro-Germanism.

4/5/18. **Collinsville, Ill.**—Robert P. Prager, lynched by mob because of alleged pro-German utterances. Mob leaders tried and acquitted.

4/6/18. **Jefferson City, Mo.**—Fritz Monal whipped and forced to kiss the flag.

4/7/18. **Seward, Neb.**—William Grats tarred and feathered for alleged pro-Germanism.

4/8/18. **Mounds, Ill.**—Norman M. Harris, editor, beaten by a mob for alleged disloyal utterances.

4/8/18. **Hartford, Conn.**—Home guards broke up Socialist rally.

4/9/18. **Monroe, N. Y.**—A. C. Richter, beaten until unconscious for remarks opposing the draft.

4/10/17. **Elk City, Okla.**—Rev. Wm. M. Hicks, tarred and feathered for promoting World Peace League.

4/11/18. **Ashland, Wis.**—Adolph Anton, tarred and feathered for alleged pro-Germanism.

4/11/18. **Salt Lake City, Utah.**—Wm. Prisse, thrown into a dough bin and nearly smothered for alleged pro-German remarks.

4/12/18. **Omaha, Neb.**—Mrs. Margaret Selby, beaten by Lithuanian women for alleged insult to the flag.

4/13/18. Santa Fe, N. M.—John M. Birkner, tarred and feathered by convicts in prison while held on charge of disloyalty.

4/13/18. Medford, Ore.—George Maynard, member International Bible Students' Assn., iron cross painted on body, driven from town.

4/13/18. Montrose, Mich.—Mrs. Harley Stafford, tarred and feathered for "disloyal remarks."

4/14/18. Holland, O.—Three men tarred and feathered and made to kiss the flag.

4/15/18. Kansas City, Mo.—Three men painted yellow by fellow workmen for alleged remark, "To hell with the Liberty Loan."

4/16/18. Woodlawn, Pa.—Three Austrian workmen tarred for alleged disloyalty.

4/16/18. Tulsa, Okla.—John Kubecka, beaten, tarred and feathered by the "Knights of Liberty" for alleged disloyal remarks.

4/17/18. Pittsburg, Pa.—Leo J. Eschman, mobbed by 300 munition workers, led by girls.

4/17/18. Newellton, La.—Wm. A. Hunter, 68 years old, tarred and feathered for not buying Liberty Bonds, though he had bought \$5,000 worth.

4/19/18. Collinsville, Okla.—Henry Rheimer, hanged by mob till almost dead because suspected of disloyalty.

4/20/18. Clovis, N. M.—L. Smith, a Socialist, tarred and feathered.

4/21/18. Firewater, Ore.—Unknown person, rescued from mob which threatened to lynch him for distributing circular attacking suppression of "The Finished Mystery."

4/22/18. McPherson, Kans.—Walter Cooperider, tarred and feathered for alleged seditious remarks. His father, a bed-ridden man 90 years old, forced to kiss the flag.

4/22/18. Canonsburg, Pa.—Stephen Melanos, a Greek, thrown into a creek for refusing to buy a Liberty Bond.

4/23/18. Wynnewood, Okla.—Claud Watson, a farmer,

tarred and feathered by 50 drafted men waiting to entrain. Negro was hired to lash his back.

4/25/18. Bessemer, Ala.—J. Will McNabb, handcuffed to a post for three hours for alleged disloyalty.

4/26/18. New Brunswick, N. J.—S. H. Chovenson, Rutgers student, secretary Socialist local, covered with molasses and feathers by fellow-students for alleged disloyalty.

4/27/18. Wichita Falls, Tex.—George Geanapolus, tarred and feathered by a mob of business men for refusal to buy a bond and to aid the Red Cross.

4/27/18. Pittsburg, Pa.—Unknown foreigner, tarred and feathered for making remarks against the Liberty Loan.

4/27/18. San Francisco, Cal.—Carl Schultz, intimidated by "Knights of Liberty" who placed rope around his neck and caused him to leave town.

4/27/18. Excelsior Springs, Mo.—Otto Scharf and Rudolph Gustoff, painted yellow and forced to kiss the flag by mob.

4/30/18. Walnut Ridge, Ark.—Charles Franke, E. J. French, W. B. Duncan and C. B. Griffen, taken from jail and tarred and feathered for selling "The Kingdom News," a periodical of the International Bible Students' Assn.

4/30/18. Robinson, Pa.—Albert Phillips, tarred and feathered by Austrians for refusal to buy bonds and support Y. M. C. A. and Red Cross.

*b. Mob Violence—Forced by Mobs to Kiss the Flag.*

12/20/17. Pine Bluff, Ark.—George Carlisle.

2/2/18. Canton, O.—Harry Rogalski.

2/28/18. Connellsville, Pa.—Tony Senkis, also painted green by the mob.

2/28/18. Trenton, N. J.—Eliz. and Margaret Paine.

3/3/18. Boston, Mass.—Unknown young man.

3/28/18. Lewistown, Mont.—Edward Foster.

3/28/18. Brooklyn, N. Y.—Harry Meyer.

4/2/18. Canton, O.—Wm. Zerbe.



- 4/2/18. Fremont, O.—Fred K. Bollman, Fred Kolbe.
- 4/4/18. Athens, Ill.—John W. Rynders.
- 4/8/18. Reno, Nev.—W. Merriman.
- 4/9/18. Lincoln, Neb.—C. H. Peter.
- 4/17/18. Portchester, N. Y.—Louis Dudas.
- 4/27/18. Anaconda, Mont.—H. C. Lind.
- 4/29/18: Cleveland, O.—German musician, name unknown.

## 2. Industrial Causes

*Involving primarily the I. W. W.*

7/10/18. Jerome, Ariz.—Seventy miners loaded into cattle cars and sent into California by gunmen of the United Verde Copper Co.

7/12/17. Bisbee, Ariz.—Over 1,000 miners forcibly deported from their homes to the desert by loyalty league organized by employers. Many deported were I. W. W. members.

7/23/17. Aberdeen, S. D.—G. J. Bourg, I. W. W. organizer, seized and taken to jail, later put into an auto with Chief of Police and two others, taken outside of town where mob of business men beat him with clubs while he was held face to the ground.

8/1/17. Butte, Mont.—Frank Little, member executive board I. W. W. hanged by masked mob.

8/11/17. Oakland, Cal.—I. W. W. headquarters wrecked by mob of soldiers.

8/22/17. Duluth, Minn.—I. W. W. hall wrecked by mob of soldiers.

8/29/17. Franklin, N. J.—John Avila, I. W. W. organizer, taken in an auto to the woods and hung to a tree by Chief of Police and mob of business men. Cut down when unconscious.

10/4/17. Stuttgart, Ark.—Luck Laur, whipped, tarred and feathered and driven out of town for being an I. W. W.

11/9/17. Tulsa, Okla.—17 I. W. W. prisoners taken forcibly from the police, beaten, tarred and feathered "in the name of the women and children of Belgium," by mob of citizens and officials calling themselves "The Knights of Liberty."

11/17/17. Red Lodge, Mont.—Sec'y Finnish I. W. W., and several other labor leaders beaten and tortured by mining company representatives, after mock hearings in the court house.

11/28/17. Red Lodge, Mont.—Emil Koski, I. W. W. member, beaten by Liberty Committee.

1/5/18. Seattle, Wash.—Piggott Printing Co. (printer of Industrial Worker and Seattle Call), plant wrecked by mob of sailors.

2/20/18. Butte, Mont.—Mell Hathaway, I. W. W. member, horse-whipped and driven out of town. Not found since.

3/17/18. Yerington, Nev.—I. W. W. organizer, tarred and feathered for "incendiary remarks."

3/9/18. Yakima, Wash.—H. B. Myers, Sec'y I. W. W., tarred and feathered.

4/13/18. Muskogee, Okla.—J. A. Lewis, I. W. W. organizer, taken from jail and deported.

4/15/18. Jerome, Ariz.—Wm. Waldrop, I. W. W. organizer, tarred and feathered.

### 3. Political Causes

*Involving primarily the Non-Partisan League.*

2/12/18. Lakefield, Minn.—James Manahan, Non-Partisan League attorney, driven out of town.

3/8/18. Kenyon, Minn.—George Breidel, N-P. League organizer, dragged from a moving picture show and put on an outgoing train.

4/4/18. Mineola, Texas.—Several organizers of Non-Partisan League badly beaten and driven out of town.

4/26/18. Winlock, Wash.—Alfred Knutson and W. R. Edwards, organizers for the Non-Partisan League, tarred and driven out of town.

4/29/18. Winlock, Wash.—W. R. Edwards, tarred and driven out of Toledo, near Winlock, second time.

4/29/18. Sultan, Wash.—Joseph O. Golden, Non-Partisan League organizer, seized and taken in auto by young thugs, tarred, feathered and beaten with a revolver.



## II. ESPIONAGE ACT AND TREASON CASES.

(Including also cases under act relating to threats against the President)

### 1. Convictions.

#### *a. For Statements in Private Conversation or Correspondence.*

12/13/17. Seattle, Wash.—Louise Olivereau, sentenced to 10 years on several indictments, charging interference with the draft.

1/17/18. Parkersburg, W. Va.—Paul Bosko, 15 years for talk about conscription.

1/31/18. Tacoma, Wash.—Seven I. W. W.'s, five years, for alleged disloyal remarks made in conversation.

2/24/18. Van Meter, Ia.—Abe Moore, convicted of alleged attack on Red Cross and recommending resistance to the draft.

3/9/18. Fargo, N. D.—Robert Harden, an I. W. W., 2 yrs. for threatening the life of President Wilson.

3/14/18. Scranton, Pa.—George Smith, fined \$50 for circulating false reports about the Navy.

3/21/18. Burlington, Vt.—Harold Mackley, 15 years for disloyal remarks.

3/—/18. Elizabeth, W. Va.—H. E. Kirchner, 2 years for seditious utterances.

4/5/18. Toledo, O.—Elias Gracely, convicted on charge of threatening the President.

4/11/18. Sioux Falls, S. D.—Conrad Kornemann, convicted for denouncing the Liberty Loan in a private letter.

4/18/18. Lincoln, Neb.—Rev. H. M. Hendricksen, convicted of obstructing recruiting and enlistment.

4/18/18. Pendleton, Ore.—Wm. Isensee, fined \$500, sentenced to 30 days for alleged disloyal remarks to bond-selling committee.

#### *b. Convictions—For Statements in Public Addresses or Public Print.*

10/4/17. Davenport, Iowa.—Daniel Wallace, 20 years for a speech on conscription and the war.

10/22/17. Trenton, N. J.—Frederick Krafft, former So-

cialist candidate for Governor, 5 years and \$1,000 for criticism of conscription in a street corner speech.

10/26/17. Mankato, Minn.—A. L. Sugarman, State Sec'y Socialist Party, 3 years for a speech about conscription.

10/31/17. St. Louis, Mo.—Thomas Cornell, 2 years for a speech calculated to interfere with recruiting.

12/1/17. San Juan, P. R.—Vincente Balbas, 8 years and \$4,000 fine for an editorial in his paper as to drafting of Porto Ricans who had declined U. S. citizenship.

12/18/17. Fargo, N. D.—Kate Richards O'Hare, 5 years for "discouraging enlistments." See pamphlet published by N. C. L. B. Appealed, U. S. Circuit Court of Appeals.

3/8/18. St. Louis, Mo.—A. H. Steinbeck, editor of "Republican Headlight," fined \$200 for an alleged seditious editorial.

3/19/18. Providence, R. I.—Joseph M. Coldwell, State Sec'y Socialist Party, convicted under Espionage Act for criticising the imprisonment of several conscientious objectors as deserters.

4/5/18. Marinette, Wis.—Rev. C. H. Auerswald, fined \$100 and costs for seditious utterances.

4/19/18. Minneapolis, Minn.—J. O. Bentall, Socialist candidate for Governor, and J. A. Peterson, Republican nominee for U. S. Senate, sentenced to 5 and 4 years, respectively, for speeches and articles during their campaign activities.

4/30/18. Los Angeles, Cal.—Robert Goldstein, 10 years and \$5,000 for producing film "Spirit of '76" disparaging the British Government.

*c. Convictions for Distributing Literature.*

6/16/17. Topeka, Kans.—I. T. Boutwell, 6 months for distributing leaflet "A Good Soldier," by Jack London, to drafted men.

11/2/17. Sioux Falls, S. D.—26 Socialists sentenced from 1 to 2 years for circulating a petition charging unfair administration of the draft.

11/2/17. Sioux Falls, S. D.—Wm. J. Head, State Socialist

Secretary, sentenced to 3 years and \$500 fine for circulating a petition for the repeal of the draft law. Appealed.

11/17/17. Albany, N. Y.—Clinton Pierce, et al, 4 Socialists convicted for distributing leaflet, "The Price We Pay." Appealed.

12/21/17. Philadelphia, Pa.—Charles T. Schenck and Dr. Eliz. Baer, convicted of conspiracy for distributing pamphlet advocating the repeal of the Draft Act. Appealed.

1/11/18. Denver, Colo.—Perley Doe, 18 months for circulating chain letter criticising the accuracy of statements that the war was brought on by Germany's breaking her pledges. Appealed.

1/—/18. Des Moines, Iowa.—D. T. Blodgett, 20 years for circulating leaflet advocating not re-electing Congressmen who voted for conscription.

3/21/18. Burlington, Vt.—Rev. C. A. Waldron, 15 years for distributing a religious pacifist pamphlet.

## 2. Indictments Found, Trial Pending

*(or held since May 1st)*

9/28/17. Chicago, Ill.—109 I. W. W. leaders on trial for conspiracy to obstruct the execution of various war statutes.

11/17/17. Fresno, Cal.—35 I. W. W.'s indicted under Espionage Act for obstructing war industries.

11/24/17. New York, N. Y.—Jeremiah A. O'Leary and others, indicted for conspiracy in attempting to mail non-mailable matter.

11/26/17. New York, N. Y.—Max Eastman, Floyd Dell, C. Merrill Rogers, Arthur Young, John Reed, H. J. Glintenhamp and Josephine Bell, editors and writers in "The Masses," indicted for publishing articles and cartoons interfering with enlistments.

11/—/17. Sioux Falls, S. D.—Former U. S. Senator R. F. Pettigrew, indicted under the Espionage Act for writing in opposition to the war.

11/—/17. St. Louis, Mo.—C. J. Henninger and A. Jablowsky, indicted for attributing sordid motives to people eager for war.



12/1/17. **Portland, Ore.**—Floyd Ramp, a Socialist, indicted for alleged seditious utterances to a crowd of draftees.

12/7/17. **St. Louis, Mo.**—Harry Turner, editor "Much Ado," indicted for alleged disloyal sentiments expressed in private letters.

12/—/17. **Hilland, S. D.**—Fred Fairchild, indicted under Espionage Act for stating in argument that he would refuse to serve if drafted.

1/28/18. **Kansas City, Kan.**—Dr. Adolph Koerber, arrested on indictment alleging seditious utterances.

2/6/18. **Evansville, Ind.**—Tobias Haupt, labor leader, held in \$10,000 bail for violation of Espionage Act, for making a casual remark to a fellow workman.

2/8/17. **Sacramento, Cal.**—55 I. W. W. members, indicted for violation of Espionage Act, on charge of fomenting strikes.

2/13/18. **Johnson City, Tenn.**—Will Martin, indicted for seditious remarks.

2/—/18. **Tonopah, Nev.**—Al Shidler, active Socialist, indicted for seditious utterances.

3/5/18. **Minneapolis, Minn.**—Indictments against Ludwig Schaufhausen and Henry Nagel for advocating that citizens of U. S. should not aid the Government in the prosecution of the war.

3/5/18. **Fargo, N. D.**—J. H. Wishek, indicted for alleged remark that "banks having large holdings of Liberty Bonds are unsafe for people to keep their money in."

3/11/17. **Chicago, Ill.**—Victor Berger, Louis Engdahl, Adolph Germer, Wm. Kruse and Irwin St. John Tucker, indicted for conspiracy to violate Espionage Act through the war statements of the Socialist Party.

3/15/18. **Wichita, Kans.**—35 I. W. W.'s indicted under Espionage Act for "disloyalty."

3/22/18. **New York City.**—Scott Nearing, indicted for writing a pamphlet, "The Great Madness."

3/23/18. **Kansas City, Mo.**—Rose Pastor Stokes, indicted for a signed communication to the Kansas City "Star" about a speech delivered by her on the war and profiteers.

3/—/18. New York City.—Dr. William J. Robinson, indicted for articles in his personal periodical, "A Voice in the Wilderness."

4/3/18. Monroe, La.—Sarah Story, 76 years old, indicted for distributing "The Finished Mystery." Fred Gaebler indicted for alleged seditious utterances.

4/10/18. New York, N. Y.—Onofray Marakenko, indicted for alleged attempt to induce Russians here to oppose the war.

4/17/18. Cape Girardeau, Mo.—Rev. M. D. Collins, Rev. E. C. Shutt and Wm. Wagner, indicted for alleged disloyal utterances.

4/23/18. Richmond, Ky.—David M. Meyers, indicted for alleged disloyalty and draft obstruction.

4/28/18. Phoenix, Ariz.—Ed. McNally, pleaded not guilty to indictment for alleged disloyal remarks.

### 3. Acquittals in Espionage Act, Draft Act and Treason Cases.

7/11/17. Baltimore, Md.—R. E. Baker and J. M. Wilhide, acquitted of violation of Section 3 of the Espionage Act in distributing "The Price We Pay" at a recruiting meeting.

10/18/17. Grand Rapids, Mich.—Adolph Germer et al, acquitted on charge of conspiracy to violate the draft act in circulating "The Price We Pay," and the Socialist Party "Proclamation and War Program."

10/25/17. Louisville, Ky.—Edmund Groeschl, acquitted of violation of Espionage Act in distributing Socialist Labor Party leaflet about conscription.

10/—/17. Bay City, Mich.—John Peterson, acquitted of violation of Espionage Act, by wearing button inscribed "Not a dollar, not a man for war."

1/27/18. Butte, Mont.—Ves Hall, acquitted of violation of Espionage Act in cursing the President.

2/7/18. Denver, Colo.—W. B. Tanner, jury disagreed on charge of attempting to cause disloyalty and to obstruct recruiting by remarks in private conversation. Later acquitted.

2/9/18. Denver, Colo.—Orlando Hitt, acquitted on charge of seditious utterances in private conversation.



2/15/18. Brooklyn, N. Y.—Paul Hennig, acquitted of charge of treason for alleged tampering with torpedo gyroscope parts.

3/14/18. Indianapolis, Ind.—13 Montenegrins acquitted by direction of Judge of conspiracy to violate draft.

3/19/18. Indianapolis, Ind.—Joseph Zimmerman, Socialist, acquitted of charge of violation of Espionage Act, seditious utterances in a public speech advocating the withdrawal of the U. S. from the war.

3/23/18. Baltimore, Md.—Edw. Otis, Russian sailor, acquitted of charge of tampering with steering gear of ship.

3/26/18. Philadelphia, Pa.—Adolph Werner and Martin Darkow, editors of Philadelphia "Tageblatt," acquitted on charge of treason, based on alleged pro-German editorials.

4/—/18. Shreveport, La.—State Senator S. J. Harper, acquitted of wilfully interfering with military forces in distributing pamphlet.

4/13/18. Kansas City, Kans.—Eva Harding and several others, acquitted of conspiracy to violate the Draft Act.

### III. OBSTRUCTING THE DRAFT ACT.

Including only those cases in which individuals were charged with inducing men of military age not to comply with the provisions of the draft act. The very numerous court cases of men of military age who refused or failed to comply with the act are omitted. (Records of Department of Justice, June 8, 1918, show 4,064 prosecutions for failure to register, and 430 for evading or aiding in evading other provisions of the draft act.)

6/15/17. Orofino, Idaho.—Edw. Hofstede, in jail five months before trial, sentenced to 4 months on charge of advising young men not to register.

6/—/17. Columbus, Ohio.—A. A. Hennacy and H. E. Townsley, 2 years for advising refusal to register.

7/21/18. Cleveland, O.—C. E. Ruthenberg, C. Baker and A. Wagenknecht, 1 year for inducing man not to register. Supreme Court affirmed sentence 1/15/17.

10/12/17. Freeport, Ill.—James Cully, convicted of inciting resistance to conscription.

10/23/17. New York, N. Y.—C. R. Cheyney and L. C. Fraina, 30 days each for conspiracy to violate Draft Act, by

remarks made in public meeting on conscientious objectors. Appealed.

10/23/17. Minneapolis, Minn.—J. O. Bental, active Socialist, sentenced to 1 year for advising men not to register.

10/—/17. Cincinnati, Ohio.—16 Socialists indicted for conspiracy for advising men not to register.

1/15/18. New York, N. Y.—Emma Goldman and Alexander Berkman, sentenced to 2 years and \$10,000 fine for conspiracy to violate conscription act, upheld by U. S. Supreme Court. Same decision applies to L. Kramer and M. Becker, who refused to register on ground of unconstitutionality of Draft Act.

1/17/18. San Francisco, Cal.—Daniel O'Connell, 2 years for violating draft law. Appealed.

3/19/18. Seattle, Wash.—Hulet M. Wells, Sam Sadler, Joe and Morris Pass, 2 years each for seditious conspiracy to obstruct the draft.

#### IV. PROSECUTIONS UNDER WAR-TIME STATE AND CITY LAWS.

The cases here given are only a fractional part of the total. The records are difficult to secure for they are carried only in the local press. Many prosecutions for war-time offences are brought under general ordinances, such as "disturbing the peace," "disorderly conduct," etc., and it is difficult to distinguish them.

New York City.—During August and September, 1917, many persons were convicted and sentenced to short terms or fined for street speaking. Among them were Hyman Levinson, Robert Haimowitz and Fannie Kapel.

9/28/17. Two Harbors, Minn.—Allan S. Broms of St. Paul, 90 days for utterances attacking the war, constituting disorderly conduct.

——— Bemidji, Minn.—Jesse Dunning, 2 years for having E. G. Flynn's and Emile Pouget's books on sabotage on sale.

11/10/17. Atlantic, Ia.—W. Theo. Woodward, 6 months and \$600 for belonging to the People's Council, a violation of a state law. Prison sentence suspended.

11/12/17. Duluth, Minn.—Scott Nearing and 3 others, arrested for vagrancy during raid on People's Council meeting. Nearing fined \$50 and others acquitted.

11/23/17. Faribault, Minn.—Oliver Smith, Wm. Van Hunt, indicted for seditious utterances.

11/30/17. Faribault, Minn.—E. B. Ford, Eliz. Ford and Ed. Bosky, \$500 and 1 year for "discouraging enlistment" by editorial in their paper.

12/8/17. Los Angeles, Cal.—Robert Whitaker, Floyd Hardin and Harold Story, sentenced to 6 months and an aggregate fine of \$1,200 for unlawful assembly in connection with Christian Pacifist Conference. See pamphlet published by N. C. L. B.

12/8/17. Portland, Ore.—J. M. Beck, a Socialist, \$50 and 20 days in jail for distributing a pamphlet without a license.

12/28/17. San Francisco, Cal.—Alexander Horr, 6 months for disorderly conduct in connection with Scott Nearing meeting.

1/2/18. Media, Pa.—M. Logeda and Wm. Derman, "guilty under Civil War statute of inciting to riot, resisting arrest and preaching against the President and Congress."

1/11/18. Nome, Alaska.—Bruce Rogers, convicted of violation of territorial sedition act for printing "We must make the world safe for democracy if we have to 'bean' the Goddess of Liberty to do it."

1/20/18. Muskogee, Okla.—Fred Baker, convicted of making derogatory remarks about his country.

2/11/18. Alexandria, Minn.—Carl A. Wold, editor of Park Region "Echo," 3 months and \$200 for seditious editorial.

2/26/18. St. Paul, Minn.—A. C. Townley and Jos. Gilbert, Pres. and Sec'y Non-Partisan League, indicted for circulating pamphlets "tending to discourage enlistments." Gilbert sentenced to 1 year. Appealed.

2/—/18. Yerington, Nev.—Peter Slaugh, \$15 and costs for "loud talking" in connection with alleged seditious remarks.

3/9/18. Niagara Falls, N. Y.—Stanley Lindenberg, Sec'y Socialist Local, 6 months for having "defied, cast contempt upon and defiled the flag of the U. S."

3/19/18. Passaic, N. J.—John Matehewski, fined \$100 for disloyal utterances.



3/29/18. Brooklyn, N. Y.—John Ferlan, 3 months for alleged seditious utterances.

4/6/18. Sacramento, Cal.—Five I. W. W.'s indicted for conspiracy to hamper the government in its prosecution of the war.

4/10/18. New York, N. Y.—Henry Schneider, 6 months for sneering at Liberty Loan.

4/18/18. Mankato, Minn.—Joseph Widman, indicted for seditious utterances.

4/4/18. Los Angeles, Cal.—Sam Jesky, 90 days for alleged seditious utterances.

4/6/18. Los Angeles, Cal.—A. Rothenpieler, convicted of alleged seditious utterances.

4/18/18. Minneapolis, Minn.—Carl F. Groseneck and George W. Freerks, under indictment for "orally advocating that citizens should not aid the government in the prosecution of the war."

#### V. INTERFERENCE BY PUBLIC OFFICIALS WITH RIGHT OF PEACEFUL ASSEMBLAGE.

8/21/17. Hanover, Minn.—Sheriff of Hennepin Co., with deputies went to Hanover, Wright Co., and broke up meeting called to form a People's Council local.

9/16/17. Hartford, Conn.—A. E. Whitehead and Annie R. Hale, arrested while speaking at People's Council meeting.

9/5/17. Minneapolis, Minn.—People's Council forbidden by Governor to hold convention.

9/7/17. Chicago, Ill.—People's Council Convention broken up by state militia under Governor's orders.

In November, Scott Nearing meetings interfered with at Duluth, Minn., San Francisco and San Jose, Cal.

11/12/17. Omaha, Neb.—Construction Workers convention of I. W. W. raided, hall wrecked and 65 members arrested.

1/28/18. Parkston, S. D.—Socialist Party State Convention broken up by police.

3/2/18. Buffalo, N. Y.—Socialist Party meeting, Mrs. Kate Richard O'Hare speaking, forbidden by City Council.

4/5/18. New York, N. Y.—Police close hall where Scott Nearing intended to speak under auspices of the Socialist Party.

In many places in Minnesota during the last few months the Non-Partisan League has been forbidden to hold meetings. Individual cases are too numerous and information is too incomplete to mention.

## VI. SEARCH AND SEIZURE.

Including only the important cases. While most of these raids were made with proper warrants, some of them were not, even when conducted by federal agents. Scores of minor raids by local officials have been conducted without lawful warrants.

### 1. I. W. W. Cases.

9/5/17. Every I. W. W. Hall in the country raided by federal officers.

11/13/17. Miami, Ariz.—I. W. W. hall and office of the Local Defense Council raided by cavalry, deputy sheriffs and agents of the Dept. of Justice. All literature and records were taken.

11/17/17. Fresno, Cal.—House of Fred Little, an I. W. W., raided for third time by Federal officers.

12/17/17. Chicago, Ill.—I. W. W. headquarters raided and occupied for 12 days by Federal officers. Several thousand dollars' worth of literature was confiscated.

12/20/17. Seattle, Wash.—I. W. W. Defense Committee headquarters and offices of Industrial Worker raided by federal officers with search warrant who seized all records, furniture, etc.

12/21/17. Cleveland, O.—Plant of International Publishing Co. raided by agents of Department of Justice and many I. W. W. and Socialist posters seized.

2/23/18. Portland, Ore.—I. W. W. hall raided and wrecked by federal authorities looking for draft slackers.

### 2. International Bible Students' Association.

3/1/18. Brooklyn, N. Y.—Two auto loads of literature seized by Military Intelligence Bureau.



3/3/18. Los Angeles, Cal.—Three thousand copies of "The Finished Mystery" seized by the Military Intelligence Bureau.

3/5/18. Hazelton, Pa.—Headquarters I. B. S. A. raided and 200 books confiscated by American Protective League agents.

3/16/18. Fort Worth, Texas.—5,000 copies "The Finished Mystery" seized by federal officials.

3/17/18. St. Louis, Mo.—10,000 copies "The Finished Mystery" seized by agents of Dept. of Justice.

3/23/18. Lisbon, O.—Fifteen copies of "The Finished Mystery" seized by Sheriff on orders from federal authorities.

3/24/18. Galveston, Tex.—45,000 copies of "The Finished Mystery" seized by federal deputy marshal.

### 3. Other Cases.

9/5/17. Chicago, Ill.—Offices of National Socialist Party raided by Federal officers.

9/13/17. Toledo, O.—Scott Nearing's house raided by Federal officers.

9/14/17. Detroit, Mich.—Offices of Socialist Labor Party raided by Federal authorities. Books and literature seized.

9/29/17. Columbus, O.—Social Labor Party offices raided.

12/29/17. San Francisco, Cal.—House of Alexander and Louise Harding Horr raided while owners were in jail in default of excessive bail exacted after their arrest on charge of "not moving on."

1/23/18. Los Angeles, Cal.—Norbert Myles, held for 5 days without warrant by military authorities.

1/23/18. Cleveland, O.—Socialist Party offices raided by Federal officers.

3/27/18. San Francisco, Cal.—People's Council office raided by officials several times (including also 11/22/17).

# INDEX

	Page		Page
Anton, Adolph .....	7	Freerks, Geo. W.....	20
Avila, John .....	10	French, E. J.....	9
Auerswald, Rev. C. H.....	13	Friederich, August .....	6
Austrian Workmen (3).....	8	Friends of Irish Freedom.....	5
Baer, Dr. Eliz.....	14	Gaebler, Fred .....	16
Balbas, Vincente .....	13	Geanapolus, George .....	9
Battig, Leon .....	6	German Farmers (6).....	6
Baker, R. E.....	16	Germer, Adolph .....	15
Baker, C. ....	17	Gilbert, Joseph .....	19
Baker, F. ....	19	Glintenkamp, H. J.....	14
Beck, J. M.....	19	Golden, Joseph .....	11
Berkman, Alexander .....	18	Goldman, Emma .....	13
Becker, M. ....	18	Goldstein, Robert .....	18
Beilfuss, Paul .....	6	Gracely, Elias .....	12
Bell, Josephine .....	14	Grats, William .....	7
Bentall, J. O.....	13, 18	Griffen, C. B.....	9
Berger, Victor .....	15	Groeschl, Edmund .....	16
Bergen, Mrs. Frances.....	6	Groseneck, Carl F.....	20
Bienneman, Dr. ....	7	Gustoff, Rudolph .....	9
Bigelow, Herbert .....	5	Hale, Annie R.....	20
Birkner, John .....	8	Hall, Ves .....	16
Blodgett, D. T.....	14	Harden, Robert .....	12
Bollman, Frederick .....	10	Hardin, Floyd .....	19
Bosco, Paul .....	12	Harding, Eva .....	17
Bosky, Edward .....	19	Harper, S. J.....	7
Bourg, G. J.....	10	Harris, Norman M.....	7
Boutwell, I. T.....	13	Hathaway, Mell .....	11
Breidel, George .....	11	Haupt, Tobias .....	15
Broms, Allan S.....	18	Head, Wm. J.....	14
Capers, H. C.....	7	Hendricksen, Rev. H. M.....	12
Carlisle, George .....	9	Hennacy, A. A.....	17
Cheyney, C. R.....	17	Hennig, Paul .....	17
Chovenson, S. H.....	9	Henninger, C. J.....	15
Christian Pacifists .....	5	Hicks, Rev. W. M.....	7
Coldwell, Joseph .....	13	Hitt, Orlando .....	17
Collins, Rev. M. D.....	16	Hoegen, Maximilian Von.....	6
Construction Workers' Convention of I. W. W.....	20	Hoffman, Henry .....	6
Cooperider, Walter .....	8	Hofstede, Edward .....	17
Cornell, Thomas .....	13	Horr, Louise Harding.....	21
Cully, James .....	17	Hunter, Wm. A.....	8
Darkow, Martin .....	17	International Bible Students' As- sociation (Finished Mystery).....	22
Dell, Floyd .....	14	International Publishing Co.....	21
Derman, William .....	19	Isensee, William .....	12
Doe, Perley .....	14	I. W. W.....	14, 15, 20, 21
Dudas, Louis .....	10	Jablowski, A. ....	15
Duncan, W. B.....	9	Jesky, Sam .....	20
Dunning, Jesse .....	18	Jordan, David Starr.....	5
Dutsch, Henry .....	5	Keenan, L. H.....	6
Eastman, Max .....	14	Kirchner, H. E.....	12
Edwards, W. R.....	11	Knutson, Alfred .....	11
Ellis, Rev. J. H.....	5	Koerber, Dr. Adolph.....	15
Engdahl, Louis .....	15	Kolbe, Fred .....	10
Eschman, Leo J.....	8	Kornemann, Conrad .....	12
Fairchild, Fred .....	15	Koski, Emil .....	11
Ferlan, John .....	20	Kovalsky, Rev. J.....	6
Ford, E. B.....	19	Krafft, Frederick .....	13
Ford, Eliz. ....	19	Kruse, William .....	15
Foster, Edward .....	9	Kubecka, John .....	8
Fraina, L. C.....	17		
Frank, Charles .....	9		

	Page		Page
Laur, Lucy .....	10	Rothenpieler, A. ....	20
Lewis, J. A. ....	11	Ruthenberg, C. E. ....	17
Lind, H. C. ....	10	Rynders, John W. ....	10
Lindenberg, Stanley .....	19		
Little, Frank .....	10	Sadler, Sam .....	18
Little, Fred .....	21	Scharf, Otto .....	9
Logeda, M. ....	19	Schaufhausen, Ludwig .....	15
Lundin, Gustave .....	6	Schenck, C. T. ....	14
		Schimler, Prof. E. A. ....	7
Mackley, Harold .....	12	Schneider, Harry .....	20
Manahan, James .....	11	Schultz, Carl .....	9
Marakenko, Onofray .....	16	Selby, Mrs. Margaret .....	7
Martin, Will .....	15	Senkis, Tony .....	9
Mathewski, John .....	20	Shidler, Al .....	15
Maynard, George .....	8	Shutt, Rev. E. C. ....	16
McNabb, Will .....	9	Sims, Rev. W. T. ....	5
McNally, Edward .....	16	Slaugh, Peter .....	19
Melanos, Stephen .....	8	Smith, G. ....	12
Merriman, W. ....	10	Smith, L. ....	8
Metzen, J. L. ....	6	Smith, O. ....	19
Meyer, Harry .....	9	Socialist Labor Party .....	22
Meyers, David M. ....	16	Socialist Party .....	16
Monal, Fritz .....	7	Socialist Party Meeting .....	13
Montenegrins (13) .....	17	Socialist Rally .....	20
Moore, Abe .....	12	Socialist Party offices .....	22
Mueller, Henry .....	7	Stafford, Mrs. Harley .....	8
Myers, H. B. ....	11	Steinbeck, A. H. ....	13
Myles, Norbert .....	22	Stokes, Rose Pastor .....	16
		Story, Harold .....	19
Nagel, Henry .....	15	Story, Sarah .....	16
National Socialist Party .....	22	Stratemeyer, E. H. ....	5
Nearing, Scott. ....	15, 19, 20, 21, 22	Sugarman, A. L. ....	18
Oberdan, Severino .....	6	Tanner, W. B. ....	16
Oberlee, Frank .....	7	Townley, A. C. ....	19
Oburn, Emmett .....	6	Townsley, H. E. ....	17
O'Connel, Daniel .....	18	Tucker, Irwin St. John .....	15
O'Hare, Mrs. Kate Richards .....	13, 21	Turner, Harry .....	15
O'Leary, Jeremiah A. ....	14		
Oliverau, Louise .....	12		
Otis, Edward .....	17		
		Van Hunt, William .....	19
Paine, Elizabeth .....	9		
Paine, Margaret .....	9		
Pass, Joe .....	18	Wagenknecht, A. ....	17
Pass, Morris .....	18	Wagner, Wm. ....	16
People's Council Local .....	20	Waldron, Rev. C. A. ....	14
People's Council Meeting .....	20	Waldrop, William .....	11
Peter, C. H. ....	10	Wallace, Daniel .....	13
Peterson, James A. ....	13	Watson, Claud .....	8
Pettigrew, R. F. ....	14	Wells, Hulet .....	18
Phillips, Albert .....	9	Werner, Adolph .....	17
Pierce, Clinton .....	14	Westbrook, O. F. ....	6
Piggott Printing Co. ....	11	Whitaker, Robert .....	19
Prager, Robert P. ....	7	White, Elmer .....	6
Prisse, William .....	7	Whitehead, A. ....	20
		Widman, Jos. ....	20
Ramp, Floyd .....	15	Wilhide, J. M. ....	16
Reed, John .....	14	Wishek, J. H. ....	15
Regas Bros. ....	7	Wold, Carl A. ....	19
Rempfer, Wm. C. ....	6	Woodward, W. Theo. ....	18
Rheimer, Henry .....	8		
Richter, A. C. ....	7		
Robinson, Dr. Wm. J. ....	16	Young, Art .....	14
Rogalski, Henry .....	9		
Rogers, Bruce .....	19	Zerbe, William .....	9
Rogers, C. Merrill .....	14	Zimmerman, Joseph .....	17



# *The President on Mob Violence*

(July 26, 1918)

*My Fellow Countrymen:*

I take the liberty of addressing you upon a subject which so vitally affects the honor of the nation and the very character and integrity of our institutions that I trust you will think me justified in speaking very plainly about it.

I allude to the mob spirit which has recently here and there very frequently shown its head among us, not in any single region, but in many and widely separated parts of the country. There have been many lynchings, and every one of them has been a blow at the heart of ordered law and humane justice. No man who loves America, no man who really cares for her fame and honor and character, or who is truly loyal to her institutions, can justify mob action while the courts of justice are open and the governments of the states and the nation are ready and able to do their duty. We are at this very moment fighting lawless passion.

Germany has outlawed herself among the nations because she has disregarded the sacred obligations of law and has made lynchers of her armies. Lynchers emulate her disgraceful example. I, for my part, am anxious to see every community in America rise above that level, with pride and a fixed resolution which no man or set of men can afford to despise.

We proudly claim to be the champions of democracy. If we really are, in deed and in truth, let us see to it that we do not discredit our own. I say plainly that every American who takes part in the action of a mob or gives it any sort of countenance is no true son of this great democracy, but its betrayer, and does more to discredit her by that single disloyalty to her standards of law and right than the words of her statesmen or the sacrifices of her heroic boys in the trenches can do to make suffering peoples believe her to be their savior.

How shall we commend democracy to the acceptance of other peoples, if we disgrace our own by proving that it is, after all, no protection to the weak? Every mob contributes to German lies about the United States what her most gifted liars cannot improve upon by the way of calumny. They can at least say that such things cannot happen in Germany except in times of revolution, when law is swept away.

I therefore very earnestly and solemnly beg that the Governors of all the states, the law officers of every community, and, above all, the men and women of every community in the United States, all who revere America and wish to keep her name without stain or reproach, will co-operate—not passively, merely, but actively and watchfully—to make an end of this disgraceful evil. It cannot live where the community does not countenance it.

I have called upon the nation to put its great energy into this war and it has responded—responded with a spirit and genius for action that has thrilled the world. I now call upon it, upon its men and women everywhere, to see to it that its laws are kept inviolate, its fame untarnished. Let us show our utter contempt for the things that have made this war hideous among the wars of history by showing how those who love liberty and right and justice and are willing to lay down their lives for them upon foreign fields stand ready also to illustrate to all mankind their loyalty to the things at home which they wish to see established everywhere as a blessing and protection to the peoples who have never known the privileges of liberty and self-government.

I can never accept any man as a champion of liberty either for ourselves or for the world, who does not reverence and obey the laws of our own beloved land, whose laws we ourselves have made. He has adopted the standards of the enemies of his country, whom he affects to despise.

WOODROW WILSON.

—Reprinted by the National Civil Liberties Bureau, 70 Fifth Avenue, New York City.

LIBRARY OF CONGRESS



0 020 914 169 3

D. of D.  
AUG 20 1918





LIBRARY OF CONGRESS



0 020 914 169 3